



State of Vermont
Enhanced 9-1-1 Board
94 State Street
Montpelier, VT 05620-6501
E911-info@state.vt.us

[phone] 802-828-4911
[fax] 802-828-4109
[TTY] 802-828-5779
[800 VT] 800-342-4911

April 4, 2013

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 30554

In re Petition for a Notice of Inquiry Regarding Call Forwarding Requirements
and Carrier Blocking Options for Non-Initialized Phones, PS Docket NO. 08-51

To the Commission:

On behalf of the State of Vermont Enhanced 9-1-1 Board, I submit the following comments in response to the recent request for comment regarding the above captioned matter, and specifically the letter submitted on February 11, 2013 by the National Emergency Number Association (NENA). The Vermont Enhanced 9-1-1 Board administers the statewide 9-1-1 system in Vermont and is in a position to speak on behalf of the State in this matter.

As a member of NENA, we stand in appreciation of the good work performed by that organization on behalf of the 9-1-1 community. In this matter, however, we believe that by not addressing the good results that culminate from the Call Forwarding Requirements, NENA has inadvertently overstated the negative aspects of the requirement that Non-Initialized Service (NSI) devices be able to reach 9-1-1 in an emergency, and we are therefore concerned that the proper weight has not been given to those emergency calls that do arrive using an NSI device.

To address generally the arguments made by NENA, we agree, based on our own experience in Vermont, that many calls that arrive from an NSI device are not emergencies and that those calls can seem at times to be excessive. We are frustrated by the inability to call back an abandoned NSI call as we can otherwise never be sure if the call was unintentional or a real emergency. Of course, unintentional calls to 9-1-1 are not limited to NSI devices, nor are calls to 9-1-1 from individuals who are lonely and seek a friendly voice. It has perhaps been our good fortune that we have not experienced a malicious attack using NSI devices. We are puzzled by the comment that calls on these devices do not include location information, as the review discussed below clearly identified a high percentage of calls from NSI devices that arrive with Phase II location information, although currently that information may not be helpful in any given case. Finally, with the exception of certain pre-paid wireless providers who are participating in the state

Lifeline program and may be providing services at a reduced but not necessarily no cost, we are not aware of any extensive attempts by the wireless industry to supplant the NSI phone donation programs with donations of devices and services in Vermont.

Regardless of the valid concerns about the impact of NSI phones, the fact remains that some portion of the NSI calls to 9-1-1 involve real emergencies, and we would caution the Commission not to be too quick to change the requirement without at least considering if there are other ways to address some of the concerns raised by NENA, as well as fully considering the extent to which real emergencies are reported using NSI devices. We would like to see a reduction in non-emergency calls using NSI devices, without prohibiting those calls that do require an emergency response. Accomplishing both goals may or may not be possible but we think that as a public safety matter, the benefit of any doubt should go towards keeping the requirement in place.

It is a review of the NSI 9-1-1 calls received in Vermont over the past twelve months that has led us to conclude that there is value in continuing the practice of requiring all mobile devices to be able to reach 9-1-1 regardless of the status of the underlying user's account.

To reach that conclusion, we ran a series of reports against the system records for the period of April 1, 2012 through March 31, 2013, during which time we took +/- 200,000 9-1-1 calls in total. We also reviewed NSI calls for seven specific days in March, 2013. Based on the system reports and the calls reviewed, we can report the following:

- Over the 12 month period, 17,465 calls came from devices that showed a phone number that begins with "911" followed by a series of digits, which are NSI calls.
- 6,560 of those calls abandoned.
- For the 10,905 calls that did not abandon 828 of those calls included a transfer to a responder or other dispatching agency (again based on system records), but that number does not include situations where a call taker also acted as the dispatcher for the required emergency service, which is not an unusual occurrence given how our PSAPs operate. In other words, we believe the 828 number is not fully representative of the true emergency calls, though we have no easy way to determine the total number without listening to all 10,905 calls.
- We also did a review of NSI calls received for seven days during the month of March, 2013, specifically March 1-5 and March 15-16. There is nothing significant about those days and they may or may not be representative of all of the NSI calls. During those seven days, 321 NSI calls came in, and 143 of them abandoned before the call taker answered.
- Of the 178 calls that connected with a call taker, 69% included Phase II location information. We tested a handful of the XY coordinates received with those calls, and those coordinates mapped to the location of the emergency being reported, so we can say that the Phase II information received on the NSI calls appear just as valid as any other Phase II information received.
- While not all 178 NSI calls that reached a call taker involved an emergency, a sampling of those that did require a response include a chimney fire, several motor vehicle accidents, a couple of domestic situations, and reports of erratic drivers and suspicious

activities suggesting a burglary in progress. In other words, the emergencies reported are typical of the day to day emergencies that are reported in Vermont.

Along with reviewing system data, we also reached out to the individuals who manage the eight Public Safety Answering Points to get their perspective on this matter. The responses were mixed, with some agreeing that the cost of dealing with NSI calls outweighs the benefit, while others believe that it is important to keep this access open even though everyone agrees that these types of calls can have a negative impact on workloads. There is no doubt that Vermont has the same concerns about the number of non-emergency calls, and especially those that abandon with no way to reach the caller, as do those jurisdictions upon which NENA based its recommendations.

However, it is the opinion of the Enhanced 9-1-1 Board that in the days when we are all working so hard to introduce text to 9-1-1 as another means to access emergency services, it is premature to consider closing off a different pathway to that same access.

Rather than changing the rule, we would hope to see some discussion of other means to reduce the number and thus the impact of unintentional and non-emergency NSI 9-1-1 calls. Public education initiatives, perhaps done as part the introduction of text to 9-1-1 could help. Enabling the NSI devices to receive callbacks from 9-1-1 would at least provide a means to help determine whether those calls are true emergencies, although we say that without knowing if such an approach is technically feasible. We were frankly surprised at the extent to which we receive Phase II location information with these calls, and also wonder if there aren't ways to better utilize this information to help identify whether a caller made a mistake or really needed assistance.

In summary, based on our experience here in Vermont, the Enhanced 9-1-1 Board believes it is inadvisable, or at best premature, to consider changing the requirement that NSI devices be able to reach 9-1-1. We know that at least in some cases, that feature has enabled an emergency response that might not otherwise have been possible. It is beyond our ability to draw a bright line to determine where the cost outweighs the benefit, and we respectfully urge the Commission to tread carefully in doing the same.

Respectfully,

David Tucker
Executive Director